

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:18-cv-407

UNITED STATES OF AMERICA)	
)	
v.)	
)	
REAL PROPERTY WHICH IS PHYSICALLY)	
LOCATED AT 6510 FALLEN SPRUCE COURT,)	
CHARLOTTE, NORTH CAROLINA, AND)	DEFAULT JUDGMENT
MORE PARTICULARLY DESCRIBED IN A)	
DEEDRECORDED)	
AT BOOK 27854, PAGE 552)	
OF THE MECKLENBURG COUNTY REGISTER)	
OF DEEDS)	

THIS MATTER is before the Court on the United States of America’s Motion pursuant to Fed. R. Civ. P. 55(b)(2), for Default Judgment. (Doc. No. 8). For good cause shown, the Court will GRANT the Motion and enter Default Judgment. In support hereof, the Court finds as follows:

I. Background

On July 26, 2018, the Government filed a verified Complaint for Forfeiture *In Rem*, (Doc. No. 1), of the above-captioned real property (hereafter “Property”). The Government contended that the Property was used or intended to be used to commit violations of the Controlled Substance Act, 21 U.S.C. §§ 801 *et seq.* and therefore subject to forfeiture.

Then, the Government provided Notice by Publication as to all persons in the world with potential claims to the Funds. Specifically, from August 1, 2018 through August 30, 2018, the Government published notice via www.forfeiture.gov as shown

on the Submission of Declaration of Publication dated and filed on August 31, 2018. (Doc. No. 2). Based on that notice, the deadline for filing claims was September 29, 2018. The Government also submitted documentation of direct notice to individuals and entities with potential claims to the Property as shown on the Notice of Service (Direct Notice) and filed on August 31, 2018. (Doc. No. 3). Specifically, the Government provided direct notice to the following individuals and entities:

Chad A. Belcher

Based on the foregoing, process has been fully issued and returned according to law and no claims have been filed within the time period provided by law. Therefore, on December 7, 2018, on Motion of the Government, (Doc. No. 6), the Clerk of Court entered a default pursuant to Fed. R. Civ. P. 55(a), (Doc. No. 7). Thus, default judgment is now appropriate.

II. Legal Conclusions

Fed. R. Civ. P. 55(b) provides for entry of the requested Default Judgment by the Court. Here, the United States has provided notice of forfeiture in accordance with Federal Rules of Civil Procedure, Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions, Rule G. Further, the time period for filing claims has expired, and no claims have been filed. Finally, the Clerk has entered default. Therefore, the requested Default Judgment is appropriated.

BASED ON THE FOREGOING FINDINGS, THE COURT CONCLUDES that the Government is entitled to a Judgment of Forfeiture by Default against the Defendant Property.

JUDGMENT


IT IS HEREBY ORDERED, ADJUDGED, AND DECREED THAT:

1. The Government's Motion for Default Judgment, (Doc. No. 8), is hereby
GRANTED.

2. Any and all right, title, and interest of all persons in the world in or to the Defendant Property is hereby forfeited to the United States, and no other right, title, or interest shall exist therein:

The Real Property which is physically located at 6510 Fallen Spruce Court, Charlotte, North Carolina, and more particularly described in a deed recorded at Book 27854, Page 552 of the Mecklenburg County Register of Deeds.

Signed: January 16, 2019



Robert J. Conrad, Jr.
United States District Judge

